

**REMARKS**

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims.

In the present reply, claim 4 has been canceled without prejudice or disclaimer of the subject matter contained therein, and claim 1 has been amended. Thus, claims 1-3 and 5 are pending in the present application.

No new matter has been added by way of the amendment to claim 1, because the amendment is supported by the present specification in the paragraph bridging pages 3-4 and by original claim 4. Applicants note that claim 4 has been allowed, as indicated in paragraph 5, page 3 of the Office Action. Thus, Applicants submit that pending claim 1 is in condition for allowance.

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

**Issues Under 35 U.S.C. §§ 102(b) & 103(a)**

Claims 1-2 and 5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Case et al. '427 (U.S. Patent No. 4,964,427) (see paragraphs 1-2 of the Office Action). Also, claims 1-2 and 5 stand

rejected under 35 U.S.C. § 103(a) as being unpatentable over Case '427 (see paragraphs 3-4 of the Office Action). Applicants respectfully traverse both rejections.

Though Applicants believe patentable distinctions exist over Case '427, Applicants respectfully refer the Examiner to paragraph 5 of the Office Action and the scope of the disputed claims as presented. Because claim 1 incorporates the subject matter of allowable claim 4, the rejections of this claim are rendered moot and/or have been overcome. Also, because the other claims depend on allowable claim 1, the rejections of those claims have also been rendered moot and/or have been overcome. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw all rejections and allow the currently pending claims.

#### **Conclusion**

A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the

Application No. 10/705,942  
Art Unit 1731  
Reply to Office Action of August 6, 2004

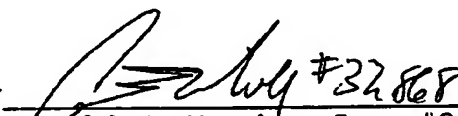
undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

 #32868  
Gerald M. Murphy, Jr., #28,977

GMM/ETP  
0042-0489P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000